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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054050
Party	Plaintiff Univision Communications Inc.
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Submission	Motion to Consolidate
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Signature	/s/
Date	10/09/2013
Attachments	motion to consolidate.pdf(12841 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

UNIVISION COMMUNICATIONS INC.,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 92054050
)	
UNIMUNDO CORP.,)	
)	
Registrant.)	

MOTION FOR CONSOLIDATION

Petitioner Univision Communications Inc., pursuant to 37 C.F.R. § 2.104(b) and Fed. R. Civ. P. 42(a), respectfully moves the Trademark Trial and Appeal Board to consolidate this action, Cancellation No. 92054050 with Cancellation No. 92057999.¹

The grounds for the motion for consolidate are as follows:

1. In this action, Cancellation No. 92054050, Univision seeks to cancel Registration No. 3889485 for the mark UNIMUNDO in connection with “television and internet broadcasting” in International Class 38.

2. In Cancellation No. 92057999, Univision seeks to cancel Registration No. 4077714 for the mark UNIMUNDO.COM in connection with “Audio and video broadcasting services over the Internet; Audio broadcasting; Broadcasting of television programmes; Broadcasting of video and audio programming over the Internet; Broadcasting programs via a global computer network; Broadcasting services and provision of telecommunication access to films and television programmes provided via a video-on-demand service; Broadcasting services and provision of telecommunication access to video and audio content provided via a video-on-demand service via the Internet; Broadcasting services, namely, transmission of advertising

¹ A similar Motion for Consolidation was filed in connection with Cancellation No. 92057999.

programs and media advertising communications via digital communications networks” in International Class 38.

3. Both cancellation proceedings involve the same parties, essentially the same marks and the same issues of fact and law.

4. When cases involving common questions of law or fact are pending before the Board, the Board may order the consolidation of the cases. *M.C.I. Foods Inc. v. Bunte*, 86 U.S.P.Q. 2d (BNA) 1044, 1046 (T.T.A.B. 2008) (proceeding that involved identical parties, identical registrations and related issues). Here, the cancellations involve the identical parties. Both cancellations involve marks centered around the word UNIMUNDO and all claims, defenses, and counterclaims are identical.

5. Because the two cancellation proceedings involve essentially the same marks and the same parties whose services compete in the same market and for the same customers, consolidation is appropriate to avoid the significant possibility of inconsistent results, to promote efficiency and economy, to reduce the number of duplicative motions, filings, and hearings that are otherwise inevitable due to the many common questions of law and facts shared among the two matters.

WHEREFORE, Petitioner prays that Cancellation Nos. 92054050 and 92057999 be consolidated and all filing and responsive deadlines be reset accordingly.

The requisite filing fee prescribed by 37 C.F.R. § 2.6(a)(17), should be charged to Deposit Account No. 501946. If there are any additional fees due in connection with this Motion to Consolidate, they should also be charged to Deposit Account No. 501946, and any excess fees should be credited to same.

All correspondence relating to this matter should be directed to the undersigned attorneys
for Petitioner.

Respectfully submitted,
UNIVISION COMMUNICATIONS INC.

Dated: October 9, 2013

By: _____/s/_____
Ellie Hourizadeh
Attorneys for Petitioner

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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing MOTION TO CONSOLIDATE upon Registrant by depositing one copy thereof via First Class Mail, in the United States mail, postage prepaid, on **October 9, 2013** addressed as follows:

**UNIMUNDO CORP.
14859 Moorpark St., Unit 103
Sherman Oaks, CA 91403**

By: _____/s/_____
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